09/703,269

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert J. Sweeney et al.	Examiner: George L. Walton	
Serial No.:	09/703,269	Group Art Unit: 3753	
Filed:	October 31, 2000	Docket: 279.188US1	
Title:	CURVATURE BASED METHOD FOR SELECTING FEATURES FROM AN ELECTROPHYSIOLOGIC SIGNAL FOR PURPOSE OF COMPLEX IDENTIFICATION AND CLASSIFICATION		

RESPONSE UNDER 37 CFR § 1.111

Commissioner for Patents
Washington, D.C. 20231

Applicant has reviewed the Office Action dated June 20, 2002, and the documents cited therewith. Claims 1-40 remain pending in this application.

REMARKS

Rejections Under 35 U.S.C. § 103

Claims 1-40 were rejected for obviousness under 35 U.S.C. § 103(a) as being unpatentable over Hsu et al. (U.S. Pat. No. 6,266,544, hereinafter "Hsu"). The Office Action states "it is obvious to one of ordinary skill in the art, at the time the invention was made, that the system and method for classifying cardiac complexes based on cardiac information derived from two or cardiac signals of Hsu et al. achieve the same claimed results as the claimed invention."

Applicant respectfully traverses the rejection for failing to state a proper prima facie case of obviousness. Detailed traversals are provided as follows:

Claim 1:

Applicant respectfully traverses the assertion that achieving the same result implies obviousness and requests clarification as to what is meant by "achieving the same result." It is respectfully submitted that the proper inquiry is to be directed to the claimed method. A result is not claimed *per se*. Thus, it is respectfully submitted that the rejection fails to state a proper *prima facie* case of obviousness since it only refers to "claimed results" and fails to show how the